



THE RELAUNCH OF REGIONAL SOCIAL DIALOGUE IN POLAND. HOW POLITICS SHAPED INSTITUTIONS, AND HOW INSTITUTIONS ARE LIKELY TO SHAPE SOCIAL CHANGE

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Abstract: This article, inspired by the recent restructuring of social dialogue in Poland, reflects on the role played by neo-corporatist institutions in the country, with specific reference to their capacity to influence (or not) the approach, contents and implementation of labour policies and, therefore, affect social change. For this purpose, it presents the findings of a case study focused on the sub-national level of regulation and conducted in the region of Lower Silesia, within the framework of the Airmulp project. The analysis - which relies on mixed methods, including the analysis of statistical data, the review of official documents, and interviews with key informants - reveals that regional social dialogue is not likely to produce substantial outcomes and is, most feasibly, a means for building consensus on neo-liberal policies from the bottom up.

Keywords: Poland, industrial relations, social dialogue, labour market flexibility, activation policies, multi-level governance, institutional analysis

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*He who puts out his hand to stop the wheel
of history will have his fingers crushed*
Lech Wałęsa

Introduction

In the last few years, the Polish parliament passed two laws that aim to renew the structure of social dialogue in the country. These events give the opportunity to begin a new reflection on the role that social dialogue itself plays in contemporary Poland, whether it is a possible driver of change and, in that case, of what kind of change.

Surely, social dialogue, in the form of national tripartism, played a role in supporting the transition from state socialism to market capitalism. This led to represent Poland as a peculiar variety of capitalism, a sort of hybrid that combined neo-liberal ideas

with neo-corporatist methods, what has been labelled as *embedded liberalism*, a term originally used to indicate a moderate alternative to classical liberalism, then borrowed and adapted by Bohle and Greskovits (2012) to describe (and criticize) the model of governance of the economy in the Visegrád countries, particularly in Poland.

In effect, this may sound as an oxymoron. As Bohle and Neunhoffer (2008: 89) wrote, «nowhere in the world could neoliberal ideology and practice win so radically and quickly against competing paradigms as in the former state socialist countries of Eastern Europe». Among these, they stressed, «Poland was the starting point with its implementation of the “shock-therapy” reform package» (ibid.). Again, «the years after the “Big Bang” witnessed the emergence of a fundamental consensus in Polish society, according to which market economy was basically understood in neoliberal terms» (ibid.: 91). As a matter of fact, pressures towards neo-liberalization came from the outside, exerted by non-domestic agents, such as the Washington agencies - i.e. the International Monetary Fund, the World Bank, and the US Treasury Department, which formed the “Washington Consensus” (Williamson 1989) - and the European Union. The former, specifically, supported those politicians who, in the early 1990s, proposed recipes to “normalize” the economy and generate recovery (see Toporowski 2005). The latter, instead, imposed upon them the Maastricht criteria and the Stability and Growth Pact as preconditions to be accepted into the Union (see Milios 2005). These institutions, nevertheless, found a favourable terrain in Poland. Other countries followed different paths, purely neo-liberal the Baltic states, typically neo-corporatist Slovenia (see, again, Bohle and Greskovits 2012).

Within the framework of the theory of varieties of capitalism (the most popular systematic formulations can be found in Shonfield 1965; Albert 1991; Rhodes and Apeldoorn 1998; Coates 2000; Hall and Soskice 2001; Amable 2003; Schmidt 2002; Boyer 2005; and Hancké, Rhodes and Thatcher 2007), it is thus possible to apply also to the Central and Eastern European countries (CEECs) what Burroni (2016) has recently described as an apparent paradox, that is the coexistence of processes of convergence and divergence. Following Hay (2004), the author argues that convergence has to do with the “pressures” on national capitalisms, the “policy paradigms” adopted to face these pressures, the “ideas” used to legitimate policies, and the “results” achieved by the policies themselves, even if the mechanisms that activate this process are not automatic. Both processes of convergence and divergence, however, are present in different policy areas. As to labour market regulation, for instance, a common trend is the rise and spread of activation policies, though different models of activation can actually be identified (on this issue, see Trickey 2000; Barbier 2004; van Berkel and Hornemann Møller 2002; and Serrano Pascual 2007).

This view has a point in common with the convergence thesis. Both assume, in fact, that external pressures, deriving from globalization and Europeanization, induce processes of institutional isomorphism, either coercive or mimetic (on these concepts, see DiMaggio and Powell 1983). Convergence theorists, specifically, postulate the existence of “a common neoliberal trajectory” (Baccaro and Howell 2011) or of “different roads to globalization” (Cerny, Menz and Soederberg 2005), in the latter case taking into account the persistence of diversities and, therefore, preferring to speak of “varieties of neo-liberalism”; in a similar fashion, Thelen (2014) theorized the existence

of “varieties of liberalization”, but maintaining that not all forms of liberalization imply a decline in equality and social solidarity. Quite differently, VoC theorists tend to emphasize the resilience of institutions and the effects of path-dependency, focusing more on institutional complementarities than on institutional change.

From this viewpoint, several factors make Poland an interesting case to investigate. One of them is, indeed, the role played by neo-corporatist institutions and their capacity to influence (or not) regulation mechanisms, in the context of a process of neo-liberalization. Another point of interest is the decentralized system of territorial organization, associated with the articulation of social dialogue and the presence of tripartite bodies at each level of regulation.

The present article addresses these issues by adopting a historical-institutionalist approach of analysis, though focusing on what happened in the post-transition period and on how this influenced subsequent institutional developments. Furthermore, it assumes a multi-level governance perspective, attempting to understand how the different levels of regulation interact with (and influence) each other. Here, as we will see, the state still plays a critical role. Finally, the choice of concentrating on labour policies is justified by the fact that these are likely to affect social change, but, at the same time, constitute a policy area where industrial relations are generally most influential.

In detail, the first section of the article aims to explain how social dialogue institutions formed and evolved after the transition. The second section, then, looks more deeply at the actors’ roles and at regulation processes, with reference to the construction of a coherent discourse, based on a more or less clear political project, and to the implementation of policies. There follows a general reflection on the configuration of institutions and on the weight of historical legacies, understood in terms of path-dependency, and on how these factors are likely to impact on social change.

(Re-)shaping neo-corporatist institutions: still the era of embedded liberalism?

Since the beginning of the 2000s, a literature arose that criticized the role played by the social partners and their involvement in tripartite institutions in the CEECs. As for Poland, Bohle and Greskovits (2012: 3) spoke of embedded liberalism, as a variety of capitalism «characterized by a permanent search for compromises between market transformation and social cohesion in more inclusive but not always efficient systems of democratic government». This also implied «attempts at building democratic corporatist institutions», though often followed by a reluctance «to make these institutions permanent features of the economic governance» (*ivi*: 146). As the authors further explained, «even though formal institutions of policy concertation were in place from the end of socialism onwards, and were reinforced during EU accession, [...] genuine inclusion of labor typically depended on governments’ willingness» (*ivi*: 151).

In 1994, when the Tripartite Commission on Social and Economic Affairs (*Trójstronna Komisja ds. Społeczno-Gospodarczych*) was established, Polish industrial relations shifted from *competitive pluralism* (Gardawski 2003) to «a model that incorporated some neo-corporatist institutions» (Gardawski, Mrozowski and Czarzasty 2012: 12). Such institutions were, nevertheless, deemed a “façade”, since they were considered to be

merely “formal” and deployed to introduce neo-liberal outcomes, what induced to speak of an *illusory corporatism* (Ost 2000; 2011). This view, although widely shared, has been criticized because it seems to undervalue the functions, whether intentional or not, performed by Polish tripartism during the transition (Meardi, Gardawski and Molina 2015), which distinguished the path followed by Poland as a case of “negotiated demise” of communism (Stark and Bruszt 1998). Despite the European Union endorsed tripartism in the country in the phase of accession (see, again, Meardi, Gardawski and Molina 2015), in the subsequent years the role and efficacy of tripartite bodies were, however, affected by the lack of interest of government coalitions and by the weakness of industrial relations. This latter phenomenon was due to both institutional factors (i.e. the underdevelopment of industry-wide bargaining and the limited range of company bargaining, combined with a high inter-union competition and a legal framework that does not provide incentives to join the trade unions) and organizational aspects (i.e. the decentralization of recruitment practices and the absence of a coordinated approach to organizing) (Mrozowicki, Czarzasty and Gajewska 2010; Czarzasty and Mrozowicki 2014). In this regard, it is to be said, the low union power, in terms of low membership, is somewhat counterbalanced by a high capacity to mobilize workers in strike actions. In recent years, then, a potential of renewal seemed to re-emerge from the bottom, linked to new forms of union activism and collective agency (Mrozowicki, Pulignano and Van Hootegeem 2010).

In this context, the state played a prominent role, as an employer (almost one fourth of employment in the country, in fact, is in the public sector), a legislator (national legislation is the main source for setting minimum wages and regulating working conditions), and a mediator (in tripartite processes) (see Eurofound 2015). What is more, governments, and politics in general, strongly influenced the fortune of social dialogue. In the years from 2007 to 2015, particularly, the rise of the coalition headed by the liberal-conservative political party called Civic Platform (*Platforma Obywatelska*) led to a gradual decline of tripartism as a method of regulation. This fell into a crisis in 2011, when the Prime Minister in office, Donald Tusk, decided not to substitute the resigning President of the Tripartite Commission, the Deputy Prime Minister Waldemar Pawlak, after an agreement on the minimum wage was rejected by the government. Consequently, no meeting took place for some months, so that a pension reform could be drafted without consulting the social partners. A period of tensions followed, marked by growing unilateralism, even after social dialogue was formally restored, in 2012 (Eurofound 2013a). In June 2013, then, trade unions decided to suspend their participation in the Commission, as a form of protest against the lack of dialogue with the government. Employers’ associations supported them, though continuing to participate, hence conducting a separate dialogue with the government, but, as a matter of fact, being united with the unions, with a common purpose against the state. Social dialogue, thus, fell on hard times.

A reinvigorated social dialogue has arisen from this situation of conflict [Int. 01], with all actors involved that seem to be willing to overcome tensions and engage in a “real” tripartism [Int. 04, 09]. Significant modifications to the labour law have been introduced. As a result, all tripartite institutions have been renewed. Brand new bodies have been created, at both the national and the sub-national level, to replace the older ones.

If we look at what has happened at the sub-national level, two types of bodies can actually be found. On the one hand, there are bodies set up at each level, voivodship and district, to exert consultative and advisory functions in support of self-governing structures. Such bodies, namely the Regional Labour Market Councils (*Wojewódzkie Rady Rynku Pracy*) and the District Labour Market Councils (*Powiatowe Rady Rynku Pracy*), were formally established by the 2014 Amendment to the Employment Promotion Act, and became operational in 2015, to substitute the Regional Employment Councils (*Wojewódzkie Rady Zatrudnienia*) and the District Employment Councils (*Powiatowe Rady Zatrudnienia*), in that order. Just like their predecessors, Labour Market Councils are expressions of a relatively broad representation of the relevant stakeholders at the regional and local levels - including delegates of the main trade unions and employers' associations, the farmers' organizations, the Chamber of Agriculture, and third sector organizations - and are invested with a range of responsibilities, which basically consist in giving opinions (in the form of resolutions) on the criteria for the distribution of resources and on several policy issues concerning employment, training and education. In their renewed shapes, the Councils are also entitled to give opinions on the draft Regional Action Plan for Employment (*Regionalny Plan Działań na Rzecz Zatrudnienia*) and on its implementation, and are invited to cooperate with the Regional Social Dialogue Council (*Wojewódzkie Rady Dialogu Społecznego*) and engage in partnerships and initiatives for labour market development. Very important, opinions are not binding, hence the functions of these bodies are limited to information and consultation of the social partners and other relevant actors.

On the other hand, the Act on the Social Dialogue Council and other social dialogue bodies (*Ustawa o Radzie Dialogu Społecznego i innych instytucjach dialogu społecznego*), approved on 24 July 2015, has established the already mentioned Regional Social Dialogue Council, which, nevertheless, is a younger body whose function is intended to be maintaining social peace and mediating in local industrial conflicts (Eurofound 2015), though its tasks and procedures are still under definition at the time of writing.

These changes intervened to reorganize regional social dialogue in Poland. More generally, the relaunch of tripartism at both the national and the sub-national level induces to speak of a revival of trade unionism [*Int. 01*].

Regional social dialogue and the governance of labour policies

Research design and methods - This section attempts to answer the general question of whether, and how, social dialogue, as it is structured in Poland, is likely to affect social change. For this purpose, it presents the findings of a case study carried out within the framework of a wider project, titled *Active Inclusion and Industrial Relations from a Multi-Level Governance Perspective* (Airmulp)¹.

¹ The Airmulp project was co-funded by the European Commission - DG Employment, Social Affairs and Inclusion, Budget Heading 04.03.01.08 - Industrial Relations and Social Dialogue, Agreement number VP/2014/0546. It was proposed by the Department of Political and Social Sciences (DPS) of the University of Florence, Italy, and was coordinated by Prof. Luigi Burroni. The partnership was composed of four academic institutions, which also included: the Amsterdam Institute for Advanced Labour Studies (AIAS) of the University of Amsterdam, Netherlands (Prof. Maarten Keune); the Centre for Sociological

The focus of the research was, indeed, on the role played by the actors of industrial relations to promote the “active inclusion” of people excluded from the labour market. The analytical perspective was that of multi-level governance. The purpose was, in fact, to examine the several forms of actions through which the social partners pursue active inclusion, such as: supporting - and trying to influence - the design, implementation or adjustment of policies, basically through social dialogue; or undertaking direct actions, jointly or unilaterally, for instance through collective bargaining or the provision of services. The attention was, thus, directed to the study of the interactions between different types of actors (i.e. the social partners, public authorities and, where relevant, other actors not properly of industrial relations, such as third sector organizations) at distinct levels of regulation (i.e. European, national and sub-national, that is regional and/or local), with the aim of investigating the actors’ roles and strategies, the ways these are embedded in regulation processes, and the extent to which they are coordinated with each other, both vertically and horizontally.

The research activities were sub-divided into three main work packages, dealing each with a definite level of regulation, and a supplementary package devoted to the study of multi-level governance.

The analysis was based on a principle of mixed methods, including: the analysis of statistical data; the review of official documents (e.g. legislative acts, strategic plans, social pacts, collective agreements); and interviews with key informants (representatives of the social partners and of public institutions, plus other qualified actors).

As already noticed, the article focuses on the sub-national level of regulation and, particularly, on the role played by tripartite bodies in influencing the implementation of labour policies. This choice is justified by the fact that these kinds of policies are determined nationally, but implemented locally. It is, therefore, at this level that the functioning and effectiveness of policy measures, and of policy making overall, can probably be best investigated. The analysis, nevertheless, maintains the perspective of multi-level governance, though it is primarily based on data, documents and information collected during the fieldwork conducted in the region of Lower Silesia (for the list of interviews, see Annex).

The case of Lower Silesia: contextual features. The region of Lower Silesia is in the South-West, which is the most economically developed area of Poland. Its capital city, Wrocław, together with its commuting zone, is one of the most dynamic metropolitan areas in the country. Both Lower Silesia and the city of Wrocław, anyway, have a relatively low gross domestic product per inhabitant, if compared with other dynamic regions and the so-called “second-tier” cities in Western Europe.

Furthermore, the region has not developed uniformly. The structure of production of the metropolitan area of Wrocław, for instance, is radically different from that of Lower Silesia as a whole. Lower Silesia, in fact, has a traditional economic system,

Studies of Everyday Life and Work (QUIT) of the Autonomous University of Barcelona, Spain (Prof. Antonio Martín Artiles); and the Industrial Relations Research Unit (IRRU) of the University of Warwick, United Kingdom (Prof. Guglielmo Meardi).

with a substantial weight of industry, heavier than the national average (36.9 versus 26.5 percent of gross value added; source of data: Eurostat, year 2012), whereas Wrocław is characterized by a developed tertiary economy, with a high incidence of both low- and high-skilled services (28.8 and 35.7 percent respectively versus 23.5 and 15.6 percent in Lower Silesia, and 16.0 and 17.2 percent in Poland).

The presence in the region of four special economic zones (*specjalne strefy ekonomiczne*, SSEs) contributes to explain these differences. Established in 1994 in areas with structural unemployment and undergoing industrial restructuring, SSEs are zones located near larger cities (in Lower Silesia, the areas of Kamienna Góra, Legnica, Tarnobrzaska, and Wałbrzych), offering preferential conditions (e.g. tax exemptions) for conducting business (OECD 2008). As such, they have attracted foreign investments in manufacturing, especially in the automotive sector and in electronics (see Hajduga 2014). Among the main investors, there are two major car manufacturers, Volkswagen and Toyota, and other important multinationals, such as Electrolux and LG (for a more detailed list, see KPMG 2014). The proximity with four SSEs could also explain, at least partly, the evolution of Wrocław towards the model of “post-industrial city”.

SSEs can be considered the most important policy for territorial development in Poland in the last twenty years, together with EU cohesion policy, which, after EU accession, in 2004, has supported the implementation of regional policies through the EU structural funds. Given this, their lifetime was extended until 2026, though they were created for a temporary scope. As an interviewee has noticed, however, territorial cohesion is still a major issue, with many people living outside the main cities and SSEs [Int. 04]. In this sense, the disparities between city centres and peripheral zones remain a matter of concern.

Lower Silesia, in fact, displays highly diversified performances among local labour markets. Assumed that the unemployment rate in the region is below the national average, though only slightly (7.3 versus 8.3 percent), values vary sharply from a district to another, from 2.8 percent in Wrocław (*Powiat miasto Wrocław*) up to 19.3 percent in the District of Wałbrzych (*Powiat wałbrzyski*); moreover, they are lower in the areas around larger cities and higher in those at the periphery of the region (see, for instance, DWUP 2017; source of data: GUS, year 2016). People living in peripheral zones are, indeed, recognized as one of the most vulnerable groups in the region. For this reason, supporting the spatial mobility of both employees and job seekers has become a priority. This aspect is even more important if we consider the position of Lower Silesia as a border region, which implies a travel-to-work mobility towards Germany. In general, unemployment is still perceived as a critical issue, despite the fact that the unemployment rate has decreased sharply after EU accession and has remained stable, around 10 percent, during the crisis. As noticed by an interviewee, policy makers have committed themselves, for many years, to fighting unemployment at any cost, which, in the long run, has raised a problem of political sustainability [Int. 04].

In this context, two phenomena have received growing attention in recent years, though, according again to an interviewee, these are underestimated by the policy

makers at the regional level [Int. 04]. The first one is the unrestrained growth of temporary employment and of job precariousness, particularly among young people, which has led to a dualization of the labour market (see Maciejewska and Mrozowski 2016; and Maciejewska, Mrozowski and Piasna 2016; on the concepts of “dual labour market” and “dualization”, instead, see above all Piore and Doeringer 1971; Stinchcombe 1979; and Piore and Berger 1980). This is related to the low quality of employment. In this regard, another interviewee has underlined the expansion of low-skilled jobs in services, also due to the wide spread of shopping centres in the areas surrounding the larger cities [Int. 07]. A further problem, not captured by official statistics, is the size of the informal economy. The representatives of both the Regional and District Labour Offices, in fact, have reported the high incidence of undeclared work as one of the major threats to the effectiveness of labour policies [Int. 05, 06].

To sum up, the case of Lower Silesia appears to be characterized by a relatively low level of wealth, despite the high growth rate registered in the period from 2000 to 2010 (OECD 2014), but combined with a level of exclusion from the labour market below the EU average. As such, it mirrors the situation in the country. On the other hand, low wages, and low taxation, are factors of competitiveness for Poland, though they push them down the “low road”. Nevertheless, they are more important for Lower Silesia, since its production structure is characterized by a high incidence of those sectors that are exposed to global competition. On closer inspection, however, the region is affected by a problem of social cohesion, in terms of low territorial cohesion.

Territorial differences reflect on the structuring of industrial relations, particularly on the organization and strength of trade unions. According to the GUS (2015), in fact, union structures in Poland are mostly based in the cities (92 percent), while only a small part is based in rural areas (8 percent). Due to its production structure and, specifically, to the heavy weight of sectors that are more permeable to trade union action, then, Lower Silesia is third in rank, among 16 regions, by share of union structures: 9 percent versus 15 of Silesia and 12 of Mazovia (in the latter case, however, more than a half are based in Warsaw). What is more, Lower Silesia is one of the regions with a relatively higher union membership rate (5-6 percent of people aged 18 years or older).

Analysis (1): actors and methods of regulation. A premise is needed on the complex institutional architecture, which distinguishes Poland as relying on the most decentralized system of territorial administration among the CEECs (Dąbrowski 2014). This system is structured on three levels, which are basically independent from each other: voivodship (*województwo*), district (*powiat*), and municipality (*gmina*). In detail, there are 16 voivodships, 308 districts (and 65 cities with the status of a district), and 2,489 municipalities sub-divided in three different types, i.e. urban, urban-rural, and rural (Kaluźná 2009). The voivodships correspond to the basic regions for the application of regional policies (NUTS-2 level). Despite a process of decentralization and the existence of self-governing structures, i.e. an elected parliament (*sejmik*) and a

Marshal (*Marszałek*), the voivodships maintain a link of subordination to the central government, expressed by the presence of a Governor (*Wojewoda*), appointed by the Prime Minister. At the sub-regional level, instead, districts and municipalities have only self-governments. As an interviewee has observed, the voivodships' "dual" system of government, with the coexistence of elective bodies and an appointed state representative, can sometimes give rise to political conflicts [Int. 01].

Lower Silesia, it is to be noticed, is characterized by a low institutional fragmentation. The contribution of Dąbrowski (2014), again, shows that the large size of municipalities, combined with a certain proactivity of the regional authorities, is related to a better capacity to engage in partnerships aimed at implementing projects funded through the EU structural funds. The same author stresses, more generally, that the region relies on an above average administrative capacity and a relatively strong civil society (see also Swianiewicz, Dziemianowicz and Mackiewicz 2000; and Gumkowska and Herbst 2005).

Regarding the governance of labour policies, this shows persisting signs of Poland's communist past and of the initial phase of the transition, when it was based on a hierarchical, "quasi-military" organization, centred on the Ministry of Labour and its territorial structures [Int. 05]. Despite the decentralization occurred in the early 2000s, which granted a certain autonomy - basically, an "operational" autonomy - to sub-national authorities, particularly to the Labour Offices, policy making in this area has maintained, in fact, a centralized character.

To begin with, the primary source of regulation is the Act of 20 April 2004 on employment promotion and labour market institutions (*Ustawa o promocji zatrudnienia i instytucjach rynku pracy*) - also known as Employment Promotion Act - and subsequent amendments. This defines competencies and tasks of the several labour market institutions as well as the policies that can be financed through the Labour Fund (*Fundusz Pracy*). Labour policies are, thus, determined and regulated by national legislation. Under this legislative umbrella, public actors play a dominant role (see Table 1, below).

Income support schemes are, indeed, national policies, though they are managed by local authorities. More specifically, District Labour Offices (*Powiatowe Urzędy Pracy*), which operate under the supervision of District Heads (*Starosta*), are responsible for granting the status of "unemployed", and for paying both unemployment benefits and the health insurance, to which they are linked. Municipalities, instead, are in charge of the delivery of social assistance benefits, to which those who have exhausted their rights to unemployment benefits can apply, provided that they meet the income criteria of being below the poverty threshold.

More complex is the governance of active labour market policies. The Ministry of Family, Labour and Social Policy (*Ministerstwo Rodziny, Pracy i Polityki Społecznej*) holds the responsibility for allocating resources from the Labour Fund; moreover, it regulates and coordinates the system of public employment services. The Regional Labour Office (*Wojewódzki Urząd Pracy*), then, oversees the design and implementation of policies at the regional level, distributes the resources obtained by the Ministry among District Labour Offices, and plans the use of the European Social Funds

(ESFs). District Labour Offices, in turn, are in charge of the implementation of policies at the local level and of the delivery of basic employment services. The Voivodship Governor supervises Labour Offices at both the regional and district level to guarantee the adherence to the standards issued by the Ministry. Municipalities, in this case, have no competences, except for the organization of the so-called public works (*prace publiczne*), in cooperation, again, with District Labour Offices.

As a matter of fact, the role of the social partners in the area of labour policies remains limited. As Eurofound (2013b) has highlighted, they are not directly involved in the management of unemployment benefits. Also in the case of active labour market policies, their role is of a slight significance, though the possibility to apply for the ESFs gives them room for manoeuvre, basically in the phases of policy implementation and service delivery. In general, their power to influence policy making is poor. They are, in fact, not involved in the phase of agenda setting nor in that of budget creation, which are centralized and follow inflexible procedures.

Unilateral policy making is, thus, prominent, since policy initiatives are taken by public authorities (see Table 2, below). These latter are, nevertheless, supported in decision making by tripartite bodies that are composed of the main local stakeholders. As already noticed, two types of bodies can be found: Labour Market Councils, set up at each level, which are institutional bodies with consultative and advisory functions; and the Regional Social Dialogue Council, which is intended to be a mediating body.

According to some interviewees, Labour Market Councils are still the most important means for influencing policies at the sub-national level, since they contribute to the identification and analysis of labour market issues, and are also entitled to propose solutions [*Int. 03*]; furthermore, they can exert an indirect control on resource allocation, by reporting possible irregularities to the competent authorities [*Int. 08*]. As highlighted previously, however, their opinions are not binding. On the other hand, the trade unionists interviewed emphasize the better balance of powers achieved within the Labour Market Councils, due to the new procedures for the designation of the president, now elected by and among all members, with trade unions and employers' associations that agreed on a rotating presidency and vice-presidency [*Int. 02, 08*]. From a critical point of view, employers complain about the fact that the social partners are consulted on the use of resources, but not on the efficacy of the implemented policies nor on the reasons of their malfunctions [*Int. 09*]. In general, employers would like to be more involved in policy making, since they can exert a "political" influence, but only on the regional and district governments, not on Labour Offices [*Int. 05*].

As for the Social Dialogue Council, it is a regional body with no equivalent at the district level; hence, social dialogue, properly said, stops at the regional level. Despite its role is still being defined, its effectiveness is likely to be strongly dependent on the "good will" of public authorities [*Int. 08*].

That said, some interviewees seem to agree that social dialogue in Lower Silesia represents a typical case in Poland, though its quality is generally good, and in many respects better than in the rest of the country [*Int. 04, 09*]. The most

striking examples are two informal committees, which are a specific feature of this region [Int. 08, 09]. These are: the Lower Silesian Political and Economic Forum (*Dolnośląskie Forum Polityczne i Gospodarcze*), a tripartite body that is co-funded by the regional government and employers; and the so-called Social Partners' Forum (*Forum Partnerów Społecznych*), which is, instead, a bilateral body, where representatives of trade unions and employers' associations meet to develop joint strategies and unitary positions to impose pressure on national policy makers and, thus, influence possible amendments of labour legislation [Int. 08].

Here, it is worth noting that minor trade unions with an anarcho-syndicalist inspiration and a primary focus on the company level, such as Workers' Initiative (*Inicjatywa Pracownicza*), which are also present in the region, have a much more negative view of social dialogue, so that they prefer to speak of "social consultation", since this is restricted to a relatively small number of actors [Int. 07].

What is more, several forms of "pragmatic" cooperation can be found at the local level between the social partners and public authorities, for the purposes of using training funds or the ESFs [Int. 05], but also to promote internships or, even, to meet the needs of single employers within the special economic zones [Int. 06]. Here, it is also to be said, in recent years trade unions have themselves used the ESFs, mostly to implement projects based on international partnerships aimed at developing social dialogue, but also to implement programmes for young couples and for the enhancement of work-life balance [Int. 02, 03].

Such forms of actions, actually, open spaces for other actors, not properly of industrial relations, such as third sector organizations. These are, in fact, the main applicants for the ESFs (almost half of the total); hence, they play an important part in the delivery of services. Furthermore, their role has a formal legitimation, so that they have representatives in Labour Market Councils. Among others, academic institutions are increasingly involved in social dialogue and have, therefore, become important interlocutors of public actors [Int. 04].

In summary, the case of Lower Silesia shows that the restructuring of institutional social dialogue in Poland, with renewed tripartite bodies at the regional and local levels, is not likely to produce substantial outcomes in terms of influence on labour policies, due to the centralization of policy making and to the prominence of public actors in this area, which is specular to the limited range of powers of the social partners and of tripartite bodies themselves. As we have just observed, then, other actors of civil society have entered the political space, further eroding the role of the social partners. The analysis of the political discourse and of the functioning of policies, reported below, will also reveal that such a weak social dialogue, although institutionalized and reinvigorated, plays an ambivalent role. On the other hand, the case investigated discloses a certain dynamism of the actors of industrial relations at the sub-national level, which is expressed by a lively informal dialogue - of both a tripartite and a bilateral nature - and by cooperative relationships with public authorities. These latter, particularly, are likely to have a positive impact, since they imply a more intensive use of funds - especially of the ESFs - and the enlargement of the network of suppliers.

Tab. 1 - Relevance of the roles played by the main actors in the governance of labour policies at the sub-national level

| | |
|-------------------------------|--|
| 1. Public actors | |
| a) Regional level | <ul style="list-style-type: none"> • <i>Relevant</i> - The Regional Labour Office coordinates the design and implementation of active labour market policies at the regional level, allocates resources from the Labour Fund, and plans the use of the ESFs |
| b) District level | <ul style="list-style-type: none"> • <i>Relevant</i> - District Labour Offices are responsible for the management of unemployment benefits and of the health insurance, for the implementation of active labour market policies at the district level and for the delivery of basic employment services |
| c) Local level | <ul style="list-style-type: none"> • <i>Slightly relevant</i> - Municipalities are responsible for the implementation of social policies, but not of labour policies (except for public works, organized in cooperation with District Labour Offices) |
| 2. Social partners | <ul style="list-style-type: none"> • <i>Relevant, but weak</i> - They are formally involved in tripartite bodies, though for information and consultation |
| 3. Third sector organizations | <ul style="list-style-type: none"> • <i>Increasingly relevant</i> - They are the main applicants for the ESFs |

Tab. 2 - Relevance of the methods of regulation at the sub-national level

| | |
|-----------------------------|--|
| 1. Unilateral policy making | <ul style="list-style-type: none"> • <i>Prominent</i> - Policy initiatives are always taken by public authorities |
| 2. Social dialogue | <ul style="list-style-type: none"> • <i>Relevant, but weak</i> - Several bodies are present in the region (see below), but their opinions are not binding: <ul style="list-style-type: none"> a) Consultative and advisory bodies <ul style="list-style-type: none"> - <i>Regional Labour Market Council</i> - <i>District Labour Market Council</i> b) Social dialogue committees <ul style="list-style-type: none"> - <i>Regional Social Dialogue Council</i> - <i>Lower Silesian Political and Economic Forum</i> (informal) - <i>Social Partners' Forum</i> (bilateral, informal) |
| 3. Cooperation | <ul style="list-style-type: none"> • <i>Relevant</i> - Forms of cooperation can be found at various levels: <ul style="list-style-type: none"> a) <i>Partnership Agreement</i> (2014) between Regional Labour Office and social partners for the use of training funds b) Cooperation between District Labour Offices and employers' associations for the promotion of internships c) Other forms of cooperation between District Labour Offices and employers in special economic zones d) Formal partnerships between municipalities and other actors aimed at applying for the ESFs |

Analysis (2): the discourse about flexibility and activation. The most important output of regional social dialogue is the already cited Regional Action Plan for Employment. This is a tool for strategic planning that is, indeed, prepared by the Regional Labour Office after the consultation with district governments, social partners and other stakeholders. In this sense, according to a key informant, we should speak of it as a “collectively created” plan [Int. 05]. As a matter of fact, the opinions of the social partners and of the other actors involved are not binding. Moreover, the Plan is a generic document, with a guidance function, which, in the section concerning policy, appears as somewhat “ritualistic”, following a similar pattern, with no significant changes from one year to another. On the other hand, it can be seen as a sort of translation in written form or, in other words, a formal output of the political discourse, understood, in a broad sense, as «whatever policy actors say to one another and to the public in their efforts to generate and legitimize a policy programme» (Schmidt 2002: 210). Based on an analysis of the performances and dynamics of the regional labour market, the Plan defines priorities, identifies target groups, draws guidelines, and indicates the sources of financing the tasks to be accomplished for the year to come. In doing so, it encompasses a set of concepts composing a cognitive framework, which translates into normative precepts. As such, it provides an empirical and ideational basis to labour policies at the regional level.

The Lower Silesian Plan, in the years from 2008 to 2016, used ideas and concepts that reflected somehow the European Commission’s rhetoric, though any explicit mention to it can actually be found. In particular, five key concepts can be easily recognized (see Table 3, below).

First of all, great emphasis is put on *flexicurity*, described as the most important approach of labour policy, aimed at achieving a better balance between flexibility and security in the labour market. In this regard, the Lower Silesian Plan, referring to the ministerial report *Flexicurity w Polsce* (Kryńska 2009), from 2012 onwards, indicates four main policy areas that need to be further improved: active labour market policies, with particular attention to the functioning of public employment services; lifelong learning, to be developed through a system of incentives, addressed to both employers and employees; social security, regarded as a mere support to active job search; and flexibility, to be pursued through the promotion of alternative forms of employment and work organization.

A second key concept, which is itself related to the flexicurity approach, is that of *activation*. The use of this term is linked to the priority of increasing labour market participation in the region. Here, the attention is on the activation of the unemployed, though, as already noticed, references to specific vulnerable groups can also be found, particularly young people and people aged 50 and older. In general, fighting unemployment remains a major issue, but a growing attention is paid to preventing long-term unemployment. In order to pursue these aims, policy makers support the promotion of entrepreneurship - as an active labour market policy - and, again, of flexible forms of employment.

The concept of *quality*, then, is used in relation to the improvement of employment and of human capital, taking into account the specific needs of the regional labour

market, which basically means updating skills to meet the employers' needs. This, however, has not translated into a set of priorities and guidelines.

More attention is paid to *effectiveness*, to be pursued through the enhancement of labour market institutions. Here, policy makers refer expressly to the necessity of improving the functioning of public employment services, and particularly of job placement, career counselling and assistance in active job search. Besides, they stress the importance of a more rational and effective use of both national and EU funds, for the purpose of implementing projects that address labour market issues.

A fifth concept is worth considering, that is *cooperation*. This term, in effect, is used in an ambiguous way, since it refers to both the enhancement of the relationship between public employment services, private service providers and employers, and the creation of local partnerships with trade unions, social assistance institutions and third sector organizations. This might reveal an attempt to develop a "market-oriented" approach to service delivery, which is characterized by the presence of a variety of actors operating in a non-coordinated or a loosely coordinated way. A further focus, which is related to the position of Lower Silesia as a border region, is on cross-border partnerships, as forms of cooperation aimed at supporting the spatial mobility of employees and job seekers, including people living in peripheral zones.

Generally speaking, the set of concepts used in the documents examined seem to translate into non-specific objectives and policy guidelines. Despite this, the analysis has helped to identify some trends, which are: a strong reference to the Commission's rhetoric about flexicurity, as the mainstream approach to labour policies, and to activation, both as a policy priority and a guiding principle for active labour market policies; a growing attention to the efficiency of public employment services and in the use of funds, as factors affecting the effectiveness of policies; and the institutionalization of partnership as a method for implementing policies. From a critical point of view, the analysis of the discourse has shown an underestimation of the question of the growth of temporary employment and of precariousness. In this sense, an interviewee has spoken of Polish flexicurity as a case of "flexibility without security" [Int. 07]. What is more, the issue of the quality of employment is not adequately developed. Finally, it is not clearly defined what kind of balance will be pursued between state and market in the long run, and what kind of role will be played by collective actors, such as the social partners and third sector organizations. Cooperation, then, could also be seen as a means for the "marketization" of public employment services.

As for social partners, what is worth noting is that they also refer to the Plan as a basis for their analyses of the regional labour market and to discuss policy priorities. The Plan, therefore, seems to be sustained by a shared vision between the relevant regional stakeholders. The social partners put great emphasis on social dialogue as a means for communicating this vision and creating consensus around it, even more than for influencing policies [Int. 02]. In particular, the creation of Regional Social Dialogue Councils, in 2015, has been defined as a "new beginning" for social dialogue [Int. 02]. On the other hand, both employers' associations and trade unions complain about the limited powers of tripartite institutions, also due to the configuration of policy making as a top-down process [Int. 02, 08, 09]. These are, in any case, new-born bodies, still dealing with the definition of procedural aspects.

Some further remarks can be drawn from the interviews, concerning the above trends. Firstly, atypical work and precariousness seem to have a relatively low priority in the agenda of the main trade unions in the region, while they have been reported as major issues by the representative of an autonomous trade union, not involved (and, in principle, not interested) in social dialogue [Int. 07], and by two academics interviewed [Int. 01, 04]. Here lies a difference with what happens at the national level, where trade unions have mobilized, since 2012, against the extensive use of fixed-term contracts and, particularly, of civil-law contracts, also referred to as “junk” contracts (see Mrozowski, Krasowska and Karolak 2015). These aspects are, indeed, regulated at the national level. Secondly, divergent positions have arisen between public authorities, employers’ associations and trade unions about vocational training. Employers, particularly, complain about the fact that training does not provide the skills they need, since policy makers are focused on “hard” rather than on “soft” skills; hence, they ask for a deeper involvement in the definition of programmes [Int. 09]. Similarly, trade union representatives stress that the existing programmes, especially those aimed at the re-skilling of the unemployed, are not in line with the specific needs of the regional labour market [Int. 03]. Lastly, criticisms have also emerged regarding the question of effectiveness. Employers, again, complain about the lack of attention to the *outcomes* of policies, which would disclose the persistence of a “bureaucratic attitude” of public officers, as “a legacy of state socialism” [Int. 09].

All things considered, the reading of the Lower Silesian Plan reveals a marked neo-liberal character of the underlying approach to labour policy. This is testified by the emphasis on flexibility, associated with an idea of “modernization” of social security that essentially consists in stressing its function of support to activation. It, thus, traces an ideational trajectory towards a deregulated labour market, a highly conditional welfare and the individualization of responsibility for activation itself. What is worth noting, however, is that regional actors have narrow room for manoeuvre to translate ideas into practice, due to the centralization of policy making in the country. The Plan, created with the involvement - though limited to consultation - of a plethora of actors from civil society, then, appears primarily as a tool for the construction of a discourse that sustains a policy strategy that is determined centrally, based on flexibility and activation. Social dialogue, in turn, seems to be a means for building consensus *from the bottom up*.

Analysis (3): on the functioning of policies. The system of unemployment benefits in Poland has undergone many changes in recent years, becoming more and more restrictive in terms of eligibility requirements and of duration and amount of benefits (see Gajewski 2015). Such changes were basically aimed at increasing conditionality and at making benefits more progressive. The criteria for the unemployed to receive benefits, therefore, include the obligation to register with the relevant District Labour Office, having no suitable job or training proposal, and having worked for at least 365 days in the preceding 18 months. The duration of benefits, then, varies from 6 to 12 months, depending on the unemployment rate of the district where the claimant resides.

Tab. 3 - Key concepts, policy priorities and guidelines in the Lower Silesian Regional Action Plan for Employment (from 2008 to 2016)

| | |
|------------|--|
| Concepts | <ul style="list-style-type: none"> • <i>Flexicurity</i> • <i>Activation</i> (of the unemployed) • <i>Quality</i> (of employment and human capital) • <i>Effectiveness</i> (of PES and in the use of EU funds) • <i>Cooperation</i> (between public and private, but also social institutions) |
| Priorities | <ul style="list-style-type: none"> • Increasing labour market participation and educational attainment • Enhancing the regional labour market • Improving active labour market policies |
| Guidelines | <ul style="list-style-type: none"> • Promoting flexible forms of employment and work organization • Developing a modern social security system • Promoting and supporting entrepreneurship • Improving the functioning of PES • Rationalizing the use of both national and EU funds • Developing cooperation with private agencies and employers • Developing cooperation with trade unions, social assistance institutions and third sector organizations • Promoting the creation of cross-border partnerships to support transnational mobility |

The duration of benefits, then, varies from 6 to 12 months, depending on the unemployment rate of the district where the claimant resides. Their amount is also variable, depending on the seniority of the unemployed person, from 120 percent of the basic allowance for those with a work experience of at least 20 years to 80 percent for those with an experience up to 5 years. On the other hand, as already noticed, all registered unemployed are entitled to receive a health insurance, while those whose rights to unemployment benefits have expired, and who are below the poverty threshold, can apply for social assistance benefits (for a list of labour policies adopted and/or implemented at the sub-national level, under the Employment Promotion Act, see Table 4, below).

This system has been subject to strong criticisms, above all by labour office officials, at both the regional and the district level. Two interviewees, particularly, have underlined that only about a half of unemployed people receive benefits, while all of them receive the health insurance [*Int. 05, 06*]. According to them, this produces an unwanted effect that affects the efficacy of conditionality itself, also due to the low effectiveness of sanctions. Most of people, they have asserted, are not really interested in getting a job, since they are employed in the broad area of informal economy; they rather aim to obtain the status of unemployed to be entitled to receive the health insurance, and even if they lose it, because they do not accept a job or a training offer, they make a new application after a certain period of time. As a representative of employers has observed, this problem is more serious for Lower Silesia, because of its

position of border region, since some persons who are registered as unemployed and receive benefits in Poland are actually employed in the informal economy in Germany [Int. 09]. On these issues, the position of the most representative trade unions, namely OPZZ and NSZZ Solidarność, is ambiguous. This could be explained by the fact that income support is basically a national matter and that its implementation falls within the competence of District Labour Offices, while the sub-national organizational barycentre of trade unions is at the regional level.

Major trade unions, however, seem to have tacitly accepted such a restrictive application of conditionality. More critical are, instead, autonomous trade unions, which claim that many unemployed persons, in actual fact, do not meet the requirements for unemployment benefits, and that many others, especially those under a civil-law contract, do not even have the right to receive them [Int. 07]. What is more, a trade union representative interviewed has complained about the lack of a policy strategy to combat undeclared work [Int. 03].

Regarding active labour market policies (see, again, Table 4), detailed descriptions can be found in Kalużná (2009), Topińska (2012), Wiśniewski and Maksim (2013), and Gajewski (2015). What is noteworthy, here, is the configuration of policy making and of resource allocation as top-down processes, with a slight coordination between the levels of regulation. The relationship between Regional and District Labour Offices, for instance, is not clearly defined. Districts, in effect, do not depend formally on voivodships. The Regional Labour Office, nevertheless, allocates resources to District Labour Offices on the basis of a given algorithm. This “mechanical” approach poses serious constraints on the capacity of district administrations to face unplanned situations as well as on their long-term planning capacity. Moreover, District Labour Offices have not their own policies, while the Regional Labour Office has the so-called special programmes (*specjalne programy*), which are financed through the ESFs [Int. 06]. In this sense, District Labour Offices are, thus, entitled to spend money, but not to decide *how* to spend it [Int. 09]. This sort of “governing by algorithms”, it is to be noticed, also limits the power of tripartite bodies, since these latter cannot exert any direct influence on budget creation.

Criticisms seem to converge on the centralization of policy making, which several interviewees consider too high. A trade union representative, particularly, has stressed that the mechanism for allocating resources is too rigid. As a consequence, he has reported, funds are sometimes insufficient to complete all planned programmes [Int. 02]. A public officer, then, has complained that District Labour Offices would need more flexibility [Int. 06]. The lack of horizontal coordination is also an issue. Despite that District Labour Offices gather together passive and active policies, this is not enough to guarantee an effective application of the principle of conditionality and of the related sanctions, which remains a matter of concern. Labour and social policies are also two unconnected policy areas, the latter being within the competence of municipalities, though an attempt of integration has been made through the Activation and Integration Programme (*Program Aktywizacja i Integracja*), set up by the 2014 Amendment to the Employment Promotion Act and implemented at the district level, addressed at those who deserve a multifaceted help.

Generally speaking, regional social dialogue seems not to be capable of affecting policies, neither their design and implementation nor their adjustment. The social partners, especially at the sub-national level, in fact, are too weak to oppose the intensification of the neo-liberal character of the policy approach underlying the above changes. In this regard, however, it is necessary to consider the background of the Polish trade union movement. As it is well known, in fact, trade unions have played a crucial part in driving the post-communist transition and the political construction of a market economy, which since the beginning was largely inspired by the neo-liberal ideology. Solidarność, particularly, developed a pro-market orientation during the 1980s, and supported the shock therapy used after the fall of communism; furthermore, it had a strong influence on Polish politics, since it gave rise to coalition governments in two critical periods of the country's history - the early years of transition and those preceding EU accession - and, in any case, its members were often called to fill government positions. This occurred despite the rank and file was sceptical about this approach, in disagreement with the leadership (on the "legacy" of Solidarność and the persisting relevance of its class origins, see Meardi 2005). The tripartite bodies set up at the sub-national level, in turn, have proved to be slightly effective in conveying the specific needs of local labour markets, and in translating them into inputs to improve policies. Even in their renewed shapes, they are not likely to have a significant impact on the configuration of labour policies, due to the high centralization of policy making and to the rigidity of resource allocation. As an academic has remarked during an interview, then, such institutions are not likely to be proper tools for coordination [*Int. 04*]. On the other hand, it is important to underline, once again, that the case of Lower Silesia brings to light an informal social dialogue that reveals a proactivity of both public and social actors at the regional level, though this essentially translates into mild lobbying, the outcomes of which are difficult to reveal. Partnership agreements and other forms of pragmatic cooperation, then, are expected to increase somewhat the effectiveness of policies, above all in terms of coverage, but not to affect significantly their functioning.

Conclusion: shaping the future

The role of social dialogue and, particularly, of tripartite bodies in Poland has always been a subject of debate, whether they are *effective* institutions that, among other things, supported the process of democratization during the post-communist transition or, conversely, they are *façade* institutions, used to facilitate the introduction of neo-liberal outcomes. As we have seen, the answer to this question is not univocal. The recent changes in labour law and the restructuring of social dialogue itself, however, have brought renewed attention to this issue. In brief, the analysis conducted in this article seems to indicate that regional social dialogue, specifically, is not capable of exerting a substantial influence on labour policies, neither on the approach that lies behind them nor on their contents or their implementation criteria. This is due to a number of reasons, pertaining to the configuration of institutions and their historical background. Here, some concluding remarks can be made.

Tab. 4 - Synopsis of the labour policies adopted and/ or implemented at the sub-national level, by type of policy

| | | |
|-------------------------------|--|--|
| Income support schemes | <ul style="list-style-type: none"> • Unemployment • Social assistance • Pensions • <i>Anti-crisis package*</i> | <ul style="list-style-type: none"> - Unemployment benefits - Health insurance - Family benefits - Permanent benefits for age or disability - Periodical benefits for joblessness - Targeted benefits for indispensable existential needs - Pre-retirement benefits - <i>Benefits to partially compensate wages during economic downtime</i> - <i>Benefits to partially compensate for the reduction of working hours</i> |
| Active labour market policies | <ul style="list-style-type: none"> • Basic employment services • Training • Incentives • Direct activation • In-work poverty prevention | <ul style="list-style-type: none"> - Job placement - Vocational counselling and guidance - Assistance in active job search - Training - Scholarships for unemployed people - Postgraduate studies - Vocational training of adults - One-off funds to take up economic activity - Reimbursement of costs of equipping or retrofitting the workplace - Reimbursement of travel costs for people in search of employment - Reimbursement of childcare - Refund of social security contributions paid for hiring the unemployed - Subsidies for employers for training of young workers - Intervention works - Public works - Socially useful work - Paid internships - Co-funding of wages of young workers |

Note: * Policy measures that are not active anymore.

The first point is that *the institutional architecture matters*. This primarily refers to the *role of the state*. If we look at this dimension, in effect, Poland represents a hybrid case in the landscape of varieties of capitalism (for an alternative typology, based on the distinctive character of state action in different economic systems, see Schmidt 2007). Among the CEECs, it is one of the countries that welcomed more warmly the neo-liberal ideas, and that, in many respects, is more distant from the model of state capitalism (see Orenstein 2013). A neo-liberal state, nevertheless, is not necessarily a “weak” state. As Schmidt and Woll (2013: 113) wrote, «whereas the theory demands a highly limited state, the practice requires a strong state capable of imposing neo-liberal reform». In a similar way, Streeck (2009: 158) observed that «while liberalization sometimes does create atomistic markets, or aims to create them, it is not in principle hostile to institutions, provided their purpose is confined to making markets, or making them more efficient». Coherently with this view, the Polish state committed itself to build institutions that were intended to be functional to the realization of its own neo-liberal project, which implied the recourse to tripartism with the purpose of following a negotiated path to transition. This actually alternated with periods of muscular, unilateral state action. In general - this is also what emerges from the interviews conducted at the regional level - the state, in Poland, seems to play a “hindering” role, which means having a negative impact on business and labour (on this concept, see again Schmidt 2007). Policy making, in fact, is too centralized and rigid, what does not leave room for manoeuvre for the social actors. Furthermore, tripartite bodies are assigned limited powers, which basically consist in mere information and consultations rights.

The governance of labour policies, and of the economy overall, therefore, still seems to be consistent with the ideal-type of embedded liberalism, though characterized by weak interest organizations and unstable and slightly influential neo-corporatist institutions. Slightly influential, it is to be said, does not mean not influential at all. Regional social dialogue, in effect, has proved to exert a latent, hidden function: it helps to convey the rhetoric about flexicurity and activation, though not exactly in the terms used by the European Commission. In this sense, it becomes a practical tool for the construction of consensus from the bottom up, aimed at legitimizing what appears as a neo-liberal version of labour policies, that is a combination of flexibility (without security) and (selective and individualized) activation.

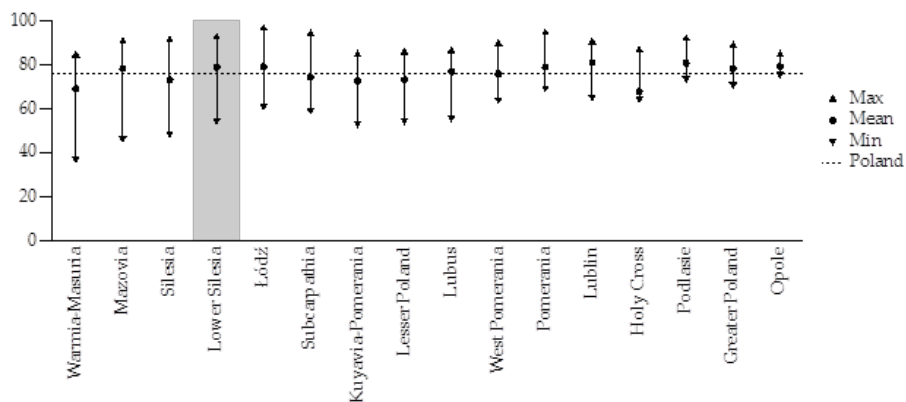
The second point has to do with what might be referred to as *the weight of history*. Other authors have stressed that the contradictory nature of such institutions, and their resilience, can be explained in the light of a *path-dependency*, marked by the critical juncture of transition (Meardi, Gardawski, Molina 2015; on the concept of “critical juncture” applied to the study of path-dependent institutional developments, see first of all Berins Collier, Collier 1991). Recent institutional changes - which, among other things, involved the relaunch of regional social dialogue - also seem to have occurred within a basically immutable framework. The operation on Labour Market Councils, indeed, appears as a “restyling” more than a “redesign”. The Regional Social Dialogue Council, then, still looks like a “black-box”, which, in any case, is likely to influence the climate of industrial relations more than to (directly and substantially) affect policies. What really seems to make a difference is *politics*. Governments’ orientations (and their will to make social dialogue work, or not), in fact, have proved to be the most influential

variable. The “seesaw” process that led to the collapse of tripartism in 2013 and, then, to its relaunch in 2015 is a clear example of how the fortune of social dialogue, in Poland, is dependent on politics.

All said and done, we should wonder, quite legitimately, whether regional social dialogue has had (and is likely to have in the future) an impact on social change. The empirical evidence indicates that, also due to the weakness (and background) of the social partners and to the limited range of powers of tripartite bodies, labour policies have accentuated their neo-liberal character. In particular, flexibilization has rapidly led to a dualization of the Polish labour market, and, as a consequence, precariousness due to job insecurity has become a major issue, which has recently given rise to social conflict. The case of the Lower Silesian Regional Action Plan for Employment shows how this policy strategy, determined at the national level, has been promoted at the sub-national level, with the (more or less tacit) support of the social partners. The data on the effectiveness of activation policies, then, reveal that the efforts to convey the specific needs of local labour markets, also through social dialogue, have produced modest outcomes. In this regard, Figure 1 shows the highly differential impact of such policies *between* and, above all, *within* the regions. This postulates that a centralized and inflexible policy making does not allow to deal effectively with the problem of territorial cohesion. Figure 2, focusing again on Lower Silesia, then gives a clear idea of how labour market performances vary from a district to another.

To conclude, we need to go further and stress the importance of studying industrial relations at the regional level, for at least two reasons. On the one hand, neo-liberalization also involves processes of construction of consensus from the bottom up, which sometimes rely on neo-corporatist institutions. Tripartism is, indeed, a method of regulation and, therefore, can be used in radically different ways. On the other hand, other kinds of practices, of a voluntarist and pragmatic nature, can be found at this level, which reflect a somewhat unexpected and inconspicuous vitality of industrial relations.

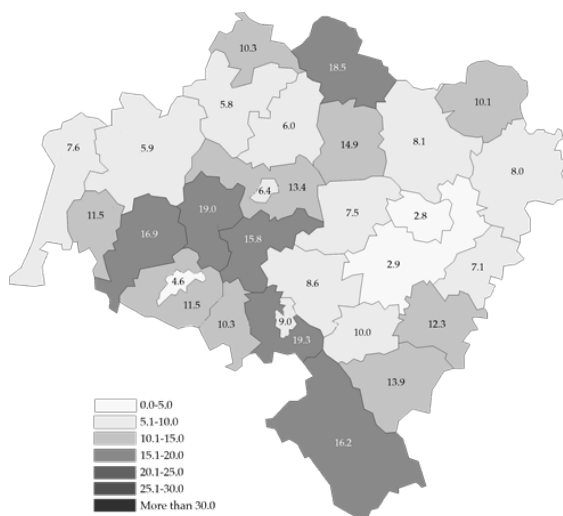
Fig. 1 - Effectiveness of activation policies in Poland, by voivodship: maximum, minimum and mean values registered at the district level (2015)



Note: Effectiveness is calculated as the ratio of people who have found a job within three months of exiting the programmes and have been employed for at least thirty days on the total number of participants (these latter, it is to be underlined, are little more than one third of registered unemployed; unregistered unemployed are, instead, excluded from official statistics).

Source: Author's elaboration on MPiPS data.

Fig. 2 - Unemployment rates in Lower Silesia, by district (December 2016)



Source: DWUP (2017: 39).

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Annex: List of interviews

| Code | Country | Organization | Role |
|------|---------|--|---------------------------------------|
| 01 | PL | University of Bremen | Academic, expert in Polish affairs |
| 02 | PL | Rady OPZZ Województwa Dolnośląskiego | President |
| 03 | PL | Region Dolny Śląsk NSZZ “Solidarność” | Vice president, secretary |
| 04 | PL | University of Wrocław | Academic |
| 05 | PL | Dolnośląski Wojewódzki Urząd Pracy (DWUP) | Chief specialist and former director |
| 06 | PL | Powiatowy Urząd Pracy we Wrocławiu (PUPW) | Deputy director of marketing services |
| 07 | PL | University of Wrocław / Inicjatywa Pracownicza | Academic and trade unionist |
| 08 | PL | Region Dolny Śląsk NSZZ “Solidarność” | President |
| 09 | PL | Business Centre Club (BCC) - Łoża Dolnośląska | Vice President |

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